

Applicant: Pajarito Mesa Mutual Domestic

Agent: New Mexico Legal Aid

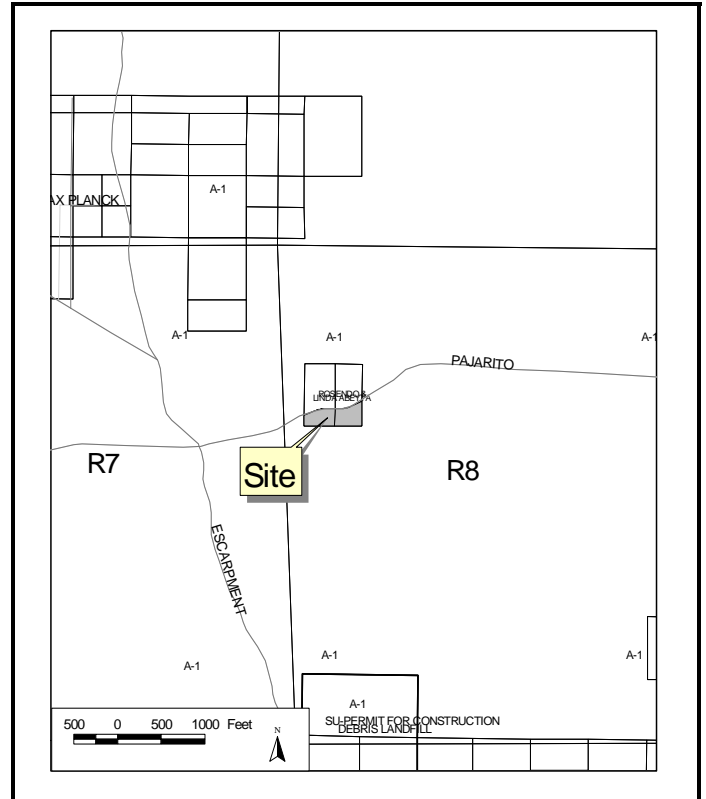
Location: 8913 Pajarito Road SW

Property Size: Approximately 3.99 acres

Existing Zone: A-1

Proposed Zoning/SUP: Special Use Permit for a Public Utility Facility (community water system)

Recommendation: Approval



Summary: The applicant is requesting approval of a Special Use Permit for a Public Utility Facility (community water system) located on the Pajarito Mesa on the Southwest portion of the South Valley. The site is located in the Rural Area of the Albuquerque/Bernalillo County Comprehensive Plan and Residential Area 2 of the Southwest Area Plan.

Staff Planner: Enrico Gradi, Program Planner

Attachments:

1. Application
2. Zoning Map
3. Site Plan (Commissioners Only)

Bernalillo County Departments and other interested agencies reviewed this application from 12-13-05 to 1-9-06.

Agency comments were used in preparation of this report, and begin on page 17.

AGENDA ITEM NO: 15
County Planning Commission
February 1, 2006

CSU-60007 New Mexico Legal Aid, agent for Pajarito Mesa Mutual Domestic Water Consumers Association, requests approval of a Special Use Permit for a Public Utility Facility (community water system) on a portion of an unplatted land NW ¼, SW ¼, NW ¼, of Section 20, T9N, R2E, located at 8913 Pajarito Road SW, zoned A-1, containing approximately 3 acres. (R-8)

AREA CHARACTERISTICS AND ZONING HISTORY

Surrounding Zoning & Land Uses

| | Zoning | Land use |
|--------------|---------------|----------------------|
| Site | A-1 | Vacant |
| North | A-1 | Vacant/Pajarito Road |
| South | A-1 | Vacant |
| East | A-1 | Vacant |
| West | A-1 | Vacant |

BACKGROUND:

The Request

According to the application, the Pajarito Mesa Mutual Domestic Water Consumers Association consists of 150 member families who live on Pajarito Mesa, in southwest Bernalillo County. Many of these families either own their lots with warrantee deeds or have real estate contracts for purchase of their property. A significant amount of these families have lived without basic utilities, such as water or electricity.

In 2003, the U.S. Dept. of Agriculture awarded the Association an emergency grant to build a water system and address the public health issues.

The site is located approximately one half mile east of the stop sign at the end of the pavement on Pajarito Road. Access to the site from Pajarito Road will be provided by a 14 foot base course access road and circular driveway.

The proposed system is not intended to provide running water to individual houses. The facility allows the water association member to drive up the to the facility and insert a pre-paid water card and fill water containers as the system works on pre-paid cards.

The system will be secured with a 6-ft chain-link security fence. All buildings will be kept locked at all times. The system is totally automated, and can be kept open 24 hours per day.

Request Justification

The applicant states that the proposed land use change is not in significant conflict with adopted elements of the Comprehensive Plan or other Master Plans in that the proposed project will not change prevailing land use in the area. The area is presently zoned A-1, rural residential.

The applicant states that these residential uses require water to ensure the public health, safety and welfare of the residents. The proposed land use is intended to support the existing land use, which the area is currently zoned. The proposed project does not include distribution lines to individual homes. The request is proposed to control access to the water source via electronic water cards. In addition, the applicant asserts that the proposed project will not foster uncontrolled growth in the area.

The applicant also states that the Comprehensive Plan allows for rural residential development in the Pajarito Mesa area, and the community needs a safe, reliable water supply to make this land use stable and sustainable. Moreover, a water supply is essential to the public health, safety and welfare of the rural residents.

Surrounding Land Use and Zoning Activity

The surrounding area is zoned A-1. All four adjoining lots are currently vacant, although some residential development exists in this general area. Land use in the area is predominantly single-family residential. The Southwest Landfill is located south of the proposed project site.

APPLICABLE PLANS AND POLICIES:

Albuquerque/Bernalillo County Comprehensive Plan

The Goal of the Rural Area is “to maintain the separate identity of rural areas as alternatives to urbanization by guiding development compatible with their open, natural resources, and traditional settlement patterns.” Applicable policies include:

Policy a states that Rural Areas shall generally retain their rural character with development consisting primarily of ranches, farms and single-family homes on large lots; higher density

development can occur at appropriate locations with in rural villages or planned communities. Overall densities shall not exceed one dwelling unit per acre.

- Higher density development must provide local government with property rights ensuring appropriate overall-area gross density.
- Each higher density area is to be controlled by site development plan and is to located well away from other such higher density.

Policy 3.a. of the Rural Area Goal states “Development in the Rural Area shall allow higher density development to occur at appropriate locations. Rural Area density patterns shall be more specifically defined through lower rank planning. Each higher density area is to be controlled by site development plan and is to be located well away from other such higher density areas.”

Policy 3.b states that “Development in Rural Areas shall be compatible with natural resource capacities, including water availability and capacity, community and regional goals and shall include trail corridors where appropriate.”

Policy 3.c states that development shall be carefully controlled in flood plains and valley areas where flood danger, high water table, soils and air inversions inhibit extensive urbanization.

Human Services Section

The Goal is to site human services facilities in locations that provide the greatest possible access to services, and to consider human rights and human services needs in development and redevelopment through the plan area.

Southwest Area Plan (SWAP)

The site is located in the Rural Residential Area Two of the Southwest Area Plan.

Policy 26 (c) allows a maximum residential density of one dwelling unit per net acre, even if centralized community systems or City water and sewer services are available.

Policy 25 states...“The County and City stabilize residential zoning and land use in the plan area.”

c. Encourage stabilization of residential land use through subdivision design and scale.

Policy 30 states, “Standards for outdoor lighting shall be implemented to ensure that their use does not interfere with the night sky environment and unnecessarily adjacent properties.”

- a.** Outdoor light poles within residential areas should not exceed sixteen (16) feet in height above existing grade; when mounted on buildings or structures, fixtures should not exceed twelve (12) feet from existing grade.
- b.** Encourage landscaped areas within lots to break up large expanses of paved area and enhance pedestrian access.

Policy 31 states “Promote safe vehicular parking with attention to functional and aesthetic concerns. Oversized parking lots of facilities should be discouraged.”

- a.** Parking areas should be designed to minimize local tempter gain and reduce air pollution. Potential methods of accomplishing this include light colored materials on parking lot surfaces and trees or other shading devices to shade the surface area of the lot.

Policy 32 states “Increase the visual character and quality of the streetscape and overall development by encouraging enhanced use of required perimeter walls.”

Discourage long expanses of uninterrupted wall surface and encourage walls to be indented, offset, or in a serpentine form to avoid a tunnel effect.

Bernalillo County Zoning Ordinance

Resolution 116-86 defines criteria for evaluating a Zone Map changes and Special Use Permit applications.

The following policies for deciding zone map changes and Special Use Permit applications pursuant to the adopted BCC Zoning Ordinance.

- A. A proposed land use change must be found to be consistent with the health, safety and general welfare of the residents of the County.
- B. The cost of land or other economic considerations pertaining to the applicant shall not be the determining factor for a land use change.
- C. A proposed land use change shall not be in significant conflict with adopted elements of the Comprehensive Plan of other Master Plans and amendments thereto including privately developed area plans, which have been adopted by the BCC.
- D. Stability of the land use and zoning is desirable; therefore, the applicant must provide a sound justification for land use change. The burden is on the applicant to show why the change should be made.
- E. The applicant must demonstrate that the existing zoning is inappropriate because:
 - 1. An error in the original zone map.
 - 2. Changed neighborhood conditions, which justifies a change in land use or
 - 3. That a different use category is more advantageous to the community as articulated in the Comprehensive Plan or other land use plans as adopted by the BCC.
- F. A land use change shall not be approved where some of the permissive uses in the land use change would be harmful to adjacent property, the neighborhood or the community.
- G. Location on a collector or major street is not itself sufficient justification of apartment, office, or commercial zoning.
- H. A zone change request which would give a zone different from the surrounding zoning to one small area, especially when only one premises is involved, is generally called a “spot zone.” Such a change of zone may be approved only when:
 - 1. The change will clearly facilitate revitalization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan; or
 - 2. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones, because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the

nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.

- I. A zone change request, which would give a zone different from the surrounding zoning to a strip of land along a street, is generally called a “strip zoning.” Such a change of zone may be approved only when:
 1. The change will clearly facilitate revitalization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan; or
 2. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones, because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.
- J. A zone change request which would give a zone different from the surrounding zoning to one small area, especially when only one premises is involved, is generally called a “spot zone.” Such a change of zone may be approved only when:
 3. The change will clearly facilitate revitalization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan; or
 4. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones, because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.

Section 18 Special Use Permit Regulations

- A. By Special Use Permit after receipt of a recommendation from the county Planning Commission, the Board of County Commissioners may authorize the location of uses in any one in which they are not permitted by other sections of this ordinance; the Extraterritorial Land Use Authority may likewise authorize the increase in height of buildings beyond the limits set forth by sections of the zoning ordinance. With such permits, the Board of County Commissioners may impose limitations as it deems necessary:
 1. To ensure that the degree of compatibility of property uses which this section is intended to promote and preserve shall be maintained with respect to the special use on the particular site and consideration of existing and potential uses of property within the zone and the general area in which the use is proposed to be located.
 2. To ensure the proper performance standards and conditions are, whenever necessary, imposed upon uses which are, or which reasonably may be expected to become, obnoxious, dangerous, offensive or injurious to the health, safety, or welfare of the public, or a portion thereof, by reason of the emission of noise, smoke, dust, fumes, vibration, odor, or other harmful or annoying substances;
 3. To preserve the utility, integrity and character of the zone in which the use will be located, without adversely affecting adjacent zones; and

4. To ensure that the use will not be or become detrimental to the public interest, health, safety, convenience, or the general welfare.
5. The county Planning Commission must review the Special Use Permit and progress of development from the date of approval and each year thereafter until completion of the plan, and if needed make a recommendation to the Board of County Commissioners to continue or revoke the Special Use Permit.

Such Special Use Permits may authorize the following uses:

A. Such Special Use Permits may authorize only the following uses:

1. Public building, public utility facility, power plant, transformer yard, sewage treatment plant, sanitary solid waste incinerator, construction debris landfill, sanitary landfill and similar technical operations essential to public health and welfare.

Section 7. A-1 Rural Agricultural Zone

- A. The regulations set forth in this section or set forth in this ordinance, when referred to in this section, are the regulations in the A-1 Rural Agricultural Zone. The purposes of this zone are to preserve the scenic and recreational values in the National Forests and similar adjoining land, to safeguard the future water supply, to provide open and spacious development in areas remote from available public services, and to recognize the desirability of carrying on compatible agricultural operations and spacious home developments in areas near the fringes of urban development. The regulations provide for the protection of these important land uses, and are not intended to unduly restrict or regulate farming, or ranching operations.
- B. Use Regulations. A building or premises shall be used only for the following purposes. All uses customarily incidental to the building or premises shall be maintained on site.
1. Permissive Uses:
 - a. Ranch, farm, dairy, and rural residential activities.
 - b. Display and sale of agricultural products including poultry or rabbits raised on the premises, and products incidental to the sales activity.
 - c. One single-family dwelling or H.U.D. Zone Code II manufactured home per lot of record.
 - d. Accessory building or structure customarily incidental to the above uses.
 - e. Recreational vehicle or boat storage in the rear yard when such recreational vehicle or boat is not to be used as accessory living quarters, and is not connected to utilities, other than temporarily to a source of electricity. Such units cannot be used for storage of goods, materials, or equipment other than those items considered to be a part of the unit or essential for its immediate use. Recreation vehicle used for dwelling purposes served only by electricity for lighting purposes, the use of such recreational vehicle shall be limited to a maximum of two weeks in any calendar year.
 - (1) In the event where rear yard access is not available, outside parking in the front yard is allowed, provided:

- (a) The body of the recreational vehicle or boat is at least 11 feet from the front property line.
- (b) No part of the unit extends onto the public right-of-way.
- (c) A corner lot is always deemed to have reasonable access to the rear yard; a fence or wall is not necessarily deemed to prevent reasonable access.
- f. Signs not exceeding 16 square feet in area per sign pertaining to the lease, hire or sale of a premises or sale of home-raised products, provided there shall be no more than one such sign per acre of lot area, and provided further that, if illuminated, the source of such illumination shall be nonoscillating and nonflashing.
- g. Parking incidental to uses permitted in this zone, provided all vehicles parked are in operative condition.

(1) Home occupation.

C. Height Regulations. Buildings and structures shall not exceed 26 feet or 2 1/2 stories in height, except as provided in the Supplementary Height and Area Regulation Section of this ordinance.

D. Area Regulations:

- 1. Minimum Lot Area and Lot Width. Every lot shall have an area of not less than one acre and an average width of not less than 150 feet.
- 2. Setbacks. Minimum front yard setback shall be 25 feet, minimum side yard shall be ten feet, and the minimum rear yard shall be 25 feet, except as provided in the Supplementary Height and Area Regulations Section of this ordinance.
- 3. On any lot occupied by a mobile home, there shall be a side yard on each side of the mobile home of 15 feet in width and in no instance shall a mobile home be located nearer than 15 feet to an accessory building.

Parking Requirements. Off-street parking for all uses must be provided in accordance with the regulations set forth in the Off-Street Parking, Loading and Unloading Regulations Section of this ordinance.

Section 19. Landscaping and Buffer Landscaping Regulations

Where a nonresidential zone which is hereafter developed for a business purpose abuts a conforming residential use, special buffer landscaping is required to minimize noise, lighting and sight impact of the nonresidential activities in the residential area.

A. Landscaping and buffer landscaping will be required in all zones for office, commercial, industrial, and multifamily residential uses; R-1, A-1, A-2 and M-H residential uses are exempt.

1. Sites of one acre or less:

- a. There shall be a landscaped setback along all streets of no less than ten feet.
- b. There shall be a landscaped buffer of six feet between single-family residential uses and office, commercial, industrial, and multifamily residential uses.

- c. Fifteen percent of all paved areas shall be landscaped. The landscaped setback may contribute toward this requirement.
- 2. Sites one acre and up to five acres. There shall be a landscaped setback along all streets of not less than 15 feet. All other requirements are the same as 1.b and 1.c above.
- 3. Sites of five acres or more:
 - a. There shall be a landscaped setback along all streets of no less than 20 feet.
 - b. The landscaped setback shall not be counted toward the landscaping required as a result of paving.
 - c. All other requirements [shall be the] same as 1.b. and 1.c. above.

ANALYSIS:

Surrounding Land Use

The predominant land use in this vicinity of the County consists of mobile homes and single family residential dwellings. With regard to the subject site, all four adjoining lots are currently vacant. The Southwest Landfill is located south of the proposed project site.

Plans

Albuquerque/Bernalillo County Comprehensive Plan

This site lies in the Rural Area as designated by the Comprehensive Plan. The Goal of the Rural Area is to maintain the separate identity of rural areas as alternatives to urbanization by guiding development compatible with their open, natural resources, and traditional settlement patterns. Policy a states that Rural Areas shall generally retain their rural character with development consisting primarily of ranches, farms and single-family homes on large lots; higher density development can occur at appropriate locations with in rural villages or planned communities. Overall densities shall not exceed one dwelling unit per acre.

The request is consistent with the Comprehensive Plan, in that the request does not include high density housing but rather provides a service to an area that is not served by municipal services.

The policies that address the Rural Area in the Albuquerque/Bernalillo County Comprehensive Plan allow one (1) dwelling unit per acre to occur in appropriate areas. However, Policy d of the Comprehensive Plan further states that the location, intensity, and design of new development shall respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural, or recreational concern.

Policy b states that water and sewer systems to outlying areas shall be provided simultaneously to minimize potential adverse effects upon the shallow groundwater.

The Human Services Section Goal is to site human services facilities in locations that provide the greatest possible access to services, and to consider human rights and human services needs in development and redevelopment through the plan area. The request appears to meet these criteria with regard to the reduced size of the facility and dispersed population that it is intended to serve.

Southwest Area Plan (SWAP)

The site is also located in Residential Area 2 of the Southwest Area Plan, which recommends one (1) dwelling unit per acre in this area of the South Valley.

Policy 1 (g) of the Southwest Area Plan calls for “all major development to be evaluated in terms of potential impact on the ditch and irrigation systems. All new subdivisions and developments shall maintain existing irrigation systems to ensure flow to downstream users. “ Policy 38 calls for the County and City to place delivery and phasing of services to existing communities prior to providing infrastructure to new development.

Zoning Ordinance

The Zoning Ordinance, Section 18 (B) (1-5) defines the rationale for the imposition of conditions on particular land use cases with regard to a Special Use Permit. The Board of County Commissioners may authorize the increase in height of buildings beyond the limits set forth by sections of the Zoning Ordinance.

Additionally, the Board of County Commissioners may impose limitations as it deems necessary to ensure the proper performance standards and conditions are imposed upon uses, which may be expected to become, obnoxious, dangerous, offensive or injurious to the health, safety, or welfare of the public. Also to insure that the use will not become detrimental to the public interest, health, safety, convenience, or the general welfare.

Section 18 (B) (24) defines the Special Use Permit for a Public building, public utility facility, power plant, transformer yard, sewage treatment plant, sanitary solid waste incinerator, construction debris landfill, sanitary landfill and similar technical operations essential to public health and welfare.

Section 19 (A) (1) (b) requires that a landscaped buffer of six feet between single-family residential uses and commercial uses is required. The submitted site is not located adjacent to any residential land uses. However, if residential uses are developed adjacent to the site the applicant should be required to implement the landscaping and buffering that is required by the Zoning Ordinance.

Agency Comments

Comments from the Bernalillo County Office of Environmental Health require that the applicant obtain a well permit from the Office of the State Engineer (OSE) for a community well and submit it to Bernalillo County Office of Environmental Health prior to construction of the well. The applicant is also required to also provide a copy of the well share agreement between all resident participants. In addition, the State of New Mexico, Drinking Water Bureau, requirements for Public Water Supply Systems shall be met. This includes prior approval in writing from the Bureau is required prior to construction.

Comments from the Bernalillo County Public Works Division require that an approved grading and drainage plan will be required prior to development of this property. With regard to access to this site, the Public Works Division requires that the applicant provide documentation of access and utility easements or right-of-way for the extension of Pajarito Road, which will be required prior to development.

Conclusion

Resolution 116-86 requires that a land use change will clearly facilitate revitalization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan. In this case, it appears that the location of the requested use is consistent with the Albuquerque/Bernalillo County Comprehensive Plan and Southwest Area Plan. SWAP policies recommend that the County and City place delivery and phasing of services to existing communities prior to providing infrastructure to new development.

The Comprehensive Plan recommends that water and sewer systems to outlying areas shall be provided simultaneously to minimize potential adverse effects upon the shallow groundwater.

The request for a Special Use Permit for a community water system appears to be consistent with the Rural Area Policies in that the water facility is of a size and scale which promotes its utilization as a facility that provides potable water and that serves existing residents. This request is also consistent with the Human Services Goal of the Comprehensive Plan, which calls for the locating human services facilities in locations that provide the greatest possible access to services, and to consider human rights and human services needs in development and redevelopment through the plan area. Lastly, this request is consistent with Resolution 116-86 in that it promotes the health, safety and welfare of the residents of the County.

RECOMMENDATION:

APPROVAL of CSU-60007 based on the following Findings and Conditions.

Enrico Gradi
Program Planner

FINDINGS:

1. This is a request for a Special Use Permit for a Public Utility Facility (community water system) on a portion of an unplatted land NW $\frac{1}{4}$, SW $\frac{1}{4}$, NW $\frac{1}{4}$, of Section 20, T9N, R2E, located at 8913 Pajarito Road SW, zoned A-1, containing approximately 3 acres.
2. This request is consistent with Resolution 116-86 in that the Goal of Human Services section of the Comprehensive Plan is to site human services facilities in locations that provide the greatest possible access to services, and to consider human rights and human services needs in development and redevelopment through the plan area.
3. This request is consistent with Resolution 116-86, in that the Albuquerque/Bernalillo County Comprehensive Plan Policy b recommends that that water and sewer systems to outlying areas to minimize potential adverse effects upon the shallow groundwater
4. The property is within the Residential Area 2 as designated by the Southwest Area Plan.
5. The property is within the Rural Area as designated by the Albuquerque/Bernalillo County Comprehensive Plan.

6. This request is consistent with the health, safety and general welfare of the residents of the County.

CONDITIONS:

1. Any site lighting shall be site specific. Shielded or cutoff fixtures shall be provided so that no fugitive light crosses to adjacent lots. Outdoor light poles shall not exceed sixteen (16) feet in height above existing grade; when mounted on buildings or structures, fixtures should not exceed twelve (12) feet from existing grade.
2. The applicant shall submit to the Bernalillo County Office of Environmental Health and Planning Department a copy of a well permit from the Office of the State Engineer (OSE) for a community well prior to construction of the well.
3. A copy of the well share agreement between all resident participants shall be submitted to the Bernalillo County Office of Environmental Health and Planning Department.
4. The applicant shall meet the State of New Mexico, Drinking Water Bureau, and requirements for Public Water Supply Systems. Verification shall be provided to the Bernalillo County Office of Environmental Health and Planning Department.
5. The applicant shall submit a Storm Water Pollution Prevention Plan and a Grading and Drainage plan for review and approval to the Public Works Division prior to development of this property. A copy of the approval shall be submitted to the Zoning, Building and Planning Department.
6. The applicant shall modify the final site plan to depict the existing right-of-way width as 60' and the ultimate ROW width of 156'. Proposed facilities shall be located as the appropriate setback to this ultimate ROW.
7. The applicant shall provide improvements to Pajarito Road as required by Bernalillo

County Public Works Division should traffic generated by this development compromise the integrity of the road.

8. If traffic generated by this development compromises the integrity of this road, the Pajarito Mesa Mutual Domestic Water Association shall provide road improvements as directed by Bernalillo County Public Works Division.
9. The applicant shall provide construction plans for facility and road improvements to Bernalillo County Public Works Division for review and approval prior to site development.
10. In the event of future residential uses are developed adjacent to the subject site, a solid fence at least six feet high shall be erected within 120 days from the date of residential construction on all sides abutting any residential uses. In addition, a six (6) foot landscape buffer shall be located parallel to the inside face of the wall and shall have a mixture of shade trees and evergreen trees to provide buffering at a minimum of twenty-five (25) feet on center.
11. The applicant shall provide a solid cement and/or bituminous material to cover the ground in areas used for vehicle and equipment storage in order to prevent dust and maintain air quality for the surrounding area.
12. The applicant shall replat the subject site in order to create a legal lot of record for this site. The subdivision procedures shall be completed within 120 days of final Board of County Commissioners Approval.
13. The applicant shall comply with all applicable Bernalillo County ordinances and regulations.
14. The Special Use Permit shall be issued for ten (10) years.
15. A revised site development plan consistent with the Conditions of approval shall be submitted for review to the Zoning Administrator within two months after the final Board of County Commissioners approval.
16. The foregoing Conditions shall become effective and shall be strictly complied with immediately upon execution or utilization of any portion of the rights and privileges authorized by this Special Use Permit.

BERNALILLO COUNTY DEPARTMENT COMMENTS

Environmental Health:

1. A copy of a well permit from the Office of the State Engineer (OSE) for a community well shall be submitted to Bernalillo County Office of Environmental Health prior to construction of the well.
2. A Copy of the well share agreement between all resident participants.
3. State of New Mexico, Drinking Water Bureau, requirements for Public Water Supply Systems shall be met. This includes prior approval in writing from the Bureau is required prior to construction.
4. Approved well permit issued from Bernalillo County EH Office and meeting water quality standards.

A major concern of the Bernco EH Office is the intense sprawl and squalor on the Pajarito Mesa. The majority of the dwellings on the Pajarito Mesa have been in existence for a period of time and not permitted for either individual well, wastewater/septic systems. Set aside grant money to aid in making the community compliant with Bernalillo Office of Environmental Health Ordinances.

To prohibit uncontrolled growth and sprawl on this location, the Pajarito Mesa; this well shall be limited to serve only the approved quantities of persons and/or families.

The applicant has applied for and received a permit from the New Mexico Office of the State Engineer to drill an Exploratory Well. This well will not be allowed to supply water to the project until water quality and quantity is proven to be acceptable concurrent with water rights and point of diversion transfer to the new well.

The property is situated close to private residential dwellings. The applicant should be aware of the Noise Ordinance 30-116, which states, "it shall be unlawful for any person to willfully make or continue, or cause to be made or continued, any loud, unnecessary or unusual noise which disturbs the peace or quiet of any neighborhood or which causes discomfort or annoyance to any person residing in the area..."

Operation of diesel powered vehicles or other vehicles at the site will need to comply with Air Quality Board Regulation No. 103 (20 NMAC 11.103, Motor Vehicle Visible Emissions). This regulation ensures that visible emissions are kept within limits specified for different sizes of vehicles and during a 10 minute start up period. Vehicles must be maintained in a condition to comply with these requirements. Engine warmers should be used where ever possible to reduce start up time period.

Fire:

No comment received

Building Manager

Corrections listed below must be corrected for approval:

1. Building permits will be required for the proposed project structures.

Zoning Manager:

Based on the above comments there is no adverse comments at this time.

Public Works:

DRAN:

1. This property is subject to the Bernalillo County code chapter 38. Prior to any development of this property a drainage submittal meeting the requirements of this code will be required.
2. A grading and drainage plan prepared by an engineer registered in the state of New Mexico, and approved by Bernalillo County Public Works will be required of this development.
3. A Storm Water Pollution Prevention Plan is also required prior to development.

DRE:

1. The Pajarito Road Judgement defines the existing road width to be 60 feet, not 50 feet. Correct the site plan to show this.
2. Pajarito Road is part of the Pajarito Corridor, which will extend from Paseo Del Volcan Corrido to I-25 as a Principal Arterial. The ultimate Public Right-of-way (ROW) will be 156 feet. Show this ultimate ROW on the site plan. All permanent structures shall be constructed outside of this area at the appropriate setback distance.
3. Pajarito Road is a Bernalillo County dirt maintained road comprised of asphalt millings. If traffic generated by this development compromises the integrity of this road, Pajarito Mesa Mutual Domestic Water Association shall provide road improvements as directed by Bernalillo County.
4. The applicant shall provide construction plans for facility and road improvements to Bernalillo County Public Works Division for review and approval prior to site development.

Proposed Conditions:

1. The site plan shall be modified to show the existing ROW width as 60' instead of 50' and the ultimate ROW width of 156'. Proposed facilities shall be located as the appropriate setback to this ultimate ROW.
2. The applicant shall provide improvements to Pajarito Road as directed by BCPWD should traffic generated by this development compromise the integrity of the road.
4. Item No. 4 of the PWDRE comments, "The applicant shall provide ... development."
5. Item No. 2 of the PWDRAN comments, "A grading and drainage ... development."
6. Item No. 3 of the PWDRAN comments, "A Storm Water ... development."

Parks & Recreation:

No adverse comment

Sheriff's:

COMMENTS FROM OTHER AGENCIES

MRGCOG:

No adverse comments.

AMAFCA:

No comments

City Environmental Health:

City Public Works:

Transportation Planning:

Water Resources:

No adverse comments.

Transportation:

No adverse comments

Transit Department.

No comments

Utilities:

New Mexico State Highway and Transportation Department:

No comments

NEIGHBORHOOD ASSOCIATIONS:

Los Padillas Neighborhood Association

The Coalition of South Valley Neighborhoods